

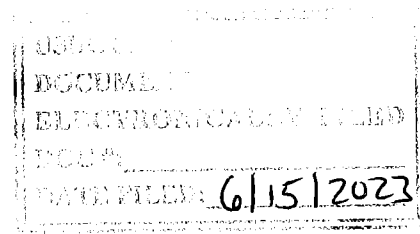
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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GARNER ALLEN,

Plaintiff,

v.

CORRECTIONAL OFFICER DEVERON D.  
AITKEN; CORRECTIONAL OFFICER  
JONELLE S. BISSESSAR; SERGEANT  
KENNETH L. JAMES; REGISTERED NURSE  
VOLODYMR GLUKHAN,  
Defendants.  
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**AMENDED ORDER OF  
SERVICE**

23 CV 2149 (VB)

Copies Mailed/Faxed LC 6/15/23  
Chambers of Vincent L. Briggatti

Plaintiff, proceeding pro se and in forma pauperis, brings claims under 42 U.S.C. § 1983 for alleged violations of his constitutional rights.

On April 6, 2023, the Court entered an Order of Service directing the U.S. Marshals Service to serve the three named defendants in the complaint: Correctional Officer Deveron D. Aitken, Correctional Officer Jonelle S. Bissessar, and Sergeant Kenneth L. James. (Doc. #8). To date, there is no indication on the docket that defendants Aitken or James have been served, although the Court has been informed that the Marshals Service is in the process of effecting service as to these defendants. An executed return of service form for defendant Bissessar was docketed on June 6, 2023. (Doc. #13).

The April 6, 2023, Order of Service also contained a Valentin Order which directed the Office of the New York State Attorney General to ascertain the identity and service address of the “John Doe” defendant whom plaintiff sought to sue. (Doc. #8). The Attorney General provided such information to the Court and plaintiff by letter dated June 1, 2023. (Doc. #11). The Court then ordered plaintiff to file an amended complaint containing the full name of the John Doe defendant identified by the Attorney General, Registered Nurse Volodymr Glukhan. (Doc. #12).

On June 14, 2023, the Court received plaintiff's amended complaint, dated June 8, 2023. (Doc. #14).

Accordingly, IT IS HEREBY ORDERED:

1. The Clerk is instructed to fill out a U.S. Marshals Service Process Receipt and Return form for the defendant listed in the Appendix to this Order. The Clerk is further instructed to issue a summons listing the defendant and deliver to the Marshals Service all paperwork necessary for the Marshals Service to effect service upon the defendant. The service addresses for the defendant are also appended to this Order.

2. Plaintiff's deadline pursuant to Fed. R. Civ. P. 4(m) to serve defendants Aitken, James, and Glukhan is sua sponte extended to August 15, 2023.

3. All defendants' deadlines to respond to the complaint are stayed pending further order of the Court.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

Plaintiff also must notify the Court in writing if plaintiff's address changes, and the Court may dismiss the action if he fails to do so.

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

Dated: June 15, 2023  
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent Briccetti', written over a horizontal line.

Vincent L. Briccetti  
United States District Judge

APPENDIX

- 1) Registered Nurse Volodymr Glukhan.  
Sing Sing Correctional Facility  
354 Hunter Street  
Ossining, NY 10562